

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

Caption in compliance with D.N.J. LBR 9004-2(c)

Isabel C. Balboa  
Chapter 13 Standing Trustee  
Cherry Tree Corporate Center  
535 Route 38, Suite 580  
Cherry Hill, NJ 08002-2977



Order Filed on September 14, 2018  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

In Re:

Heicel G. Rodriguez

Debtor(s)

Case No.: 17-32313 (ABA)

Hearing Date: 09/12/2018


Judge: Andrew B. Altenburg, Jr.

**ORDER CONFIRMING CHAPTER 13 PLAN**

The relief set forth on the following pages, numbered two(2) through four(4) is hereby

**ORDERED.**

**DATED: September 14, 2018**

  
\_\_\_\_\_  
Honorable Andrew B. Altenburg, Jr.  
United States Bankruptcy Court

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Debtor: Heicel G. Rodriguez

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The plan of the debtor having been proposed to the creditor, and a hearing having been held on the Confirmation of such Plan, and it appearing that the applicable provision of the Bankruptcy Code have been complied with; and for good cause shown, it is

**ORDERED** that the plan of the above named debtor, dated 11/02/2017, or the last amended plan of the debtor be and it is hereby confirmed. The Standing Trustee shall make payments in accordance with 11 U.S.C. § 1326 with funds received from the debtor; and it is further

**ORDERED** that the debtor shall pay the Standing Trustee, Isabel C. Balboa, the sum of \$338.00 for a period of 51 months beginning immediately, which payment shall include commission and expenses of the Standing Trustee in accordance with 28 U.S.C. § 586, together with \$2,782.00 paid to date.

**ORDERED** that the debtor's attorney be and hereby is allowed a fee of \$3,500.00. The unpaid balance of the allowed fee in the amount of \$2,960.00 plus costs of \$0.00 shall be paid to said attorney through the Chapter 13 plan by the Standing Trustee.

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**ORDERED** that if the debtor should fail to make plan payments for a period of more than 30 days, the Standing Trustee may file, with the Court and served upon the Debtor and Debtor's Counsel, a Certification of Non-Receipt of Payment and request that the debtor's case be dismissed. The debtor shall have fourteen days within which to file with the Court and serve upon the Trustee a written objection to such Certification.

**ORDERED** that upon expiration of the Deadline to File a Proof of Claim, the Chapter 13 Standing Trustee may submit an Amended Order Confirming Plan upon notice to the debtor(s), debtor(s)' attorney and any other party filing a Notice of Appearance.

**ORDERED** that the debtor's Motion to Void Liens and Reclassify Claims from Secured to Unsecured be and hereby is granted. The following claims shall be reclassified as unsecured and liens voided upon completion of the debtor's plan:

Bank of America 2nd mortgage avoid & reclassify

**ORDERED** that the debtor's modification of claim of the following secured creditor, as may have been agreed to between the parties, be and hereby is granted and any remaining portion of the claim shall be treated as an unsecured claim in the plan:

Keybank cramdown to \$13,525.00

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**ORDERED** that the debtor consents to pay secured claims as filed, with reservation of rights to challenge the claims.

**ORDERED** as follows:

Pursuant to debtor's Chapter 13 Plan as last amended, the secured claim of Bank of America will be paid outside of the Chapter 13 Plan pursuant to a loan modification agreement. The Standing Trustee shall make no payments to Bank of America on account of pre-petition arrears set forth in the proof of claim dated January 5, 2018. Total plan length of 60 months.

**Certificate of Notice Page 5 of 5**  
United States Bankruptcy Court  
District of New Jersey

In re:  
Heichel G. Rodriguez  
Debtor

Case No. 17-32313-ABA  
Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0312-1

User: admin  
Form ID: pdf903

Page 1 of 1  
Total Noticed: 1

Date Rcvd: Sep 14, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Sep 16, 2018.

db +Heichel G. Rodriguez, 2130 S. Union Road, Vineland, NJ 08361-7698

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Sep 16, 2018

Signature: /s/Joseph Speetjens

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**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on September 14, 2018 at the address(es) listed below:

Andrew L. Spivack on behalf of Creditor THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK,  
AS SUCCESSOR TRUSTEE TO JPMORGAN CHASE BANK, N.A., AS TRUSTEE ON BEHALF OF THE  
CERTIFICATEHOLDERS OF THE CWHEQ INC. ET.AL. nj.bkecf@fedphe.com  
Denise E. Carlon on behalf of Creditor BANK OF AMERICA, N.A. dcarlon@kmlawgroup.com,  
bkgroup@kmlawgroup.com  
Isabel C. Balboa ecfmail@standingtrustee.com, summarymail@standingtrustee.com  
Isabel C. Balboa on behalf of Trustee Isabel C. Balboa ecfmail@standingtrustee.com,  
summarymail@standingtrustee.com  
Rebecca Ann Solarz on behalf of Creditor BANK OF AMERICA, N.A. rsolarz@kmlawgroup.com  
Seymour Wasserstrum on behalf of Debtor Heichel G. Rodriguez mylawyer7@aol.com,  
ecf@seymourlaw.net  
Sherri Jennifer Smith on behalf of Creditor THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW  
YORK, AS SUCCESSOR TRUSTEE TO JPMORGAN CHASE BANK, N.A., AS TRUSTEE ON BEHALF OF THE  
CERTIFICATEHOLDERS OF THE CWHEQ INC. ET.AL. nj.bkecf@fedphe.com, nj.bkecf@fedphe.com  
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 8